

Directive

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Category	Redeployment, Redundancy, Termination
Sub Category	Managing Excess Employees
Summary	Managing Excess Employees Advice To Agencies No 1 Of 29 June 2011 Parental Leave explains how the Managing Excess Employees Policy is applied to employees on parental leave, who no longer have a substantive position.
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This Directive may be varied, withdrawn or replaced at any time without notice



MANAGING EXCESS EMPLOYEES

ADVICE TO AGENCIES

No.1 of 29 JUNE 2011

PARENTAL LEAVE

This advice is provided to help agencies apply the *Managing Excess Employees* policy in Premier's Memorandum 2011-11, which takes effect on 1 August 2011.

Parental Leave

Can an employee on parental leave be declared excess when they no longer have a substantive position?

An employee on approved parental leave* cannot be declared excess while they are on leave. They may be made excess only when:

- they return from leave, and
- no comparable position that the staff member is qualified for and is capable of performing is available.

*Parental leave means leave provided for that purpose in the *Industrial Relations Act 1996* and any relevant industrial instrument.

Obligations

Agencies' obligations under other relevant legislation and awards are not altered by the *Managing Excess Employees* policy or this advice.

For further information, please contact Public Sector Workforce on 9228 4444 or psw@dpc.nsw.gov.au.